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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

ALLSTATE INSURANCE COMPANY,

Plaintiff,

VS.

CAROLINE PROSSER,

Defendant.

) Case No. A05-060 CI (CV)

ORDER GRANTING MOTION FOR
SUMMARY JUDGMENT ON PUNITIVE DAMAGES

Upon consideration of the Motion for Summary Judgment on Punitive Damages filed by defendant, Caroline Prosser, any opposition thereto, and for good cause, it is hereby

ORDERED that defendant's Motion for Summary Judgment on Punitive Damages is hereby
Granted.

IT IS FURTHER ORDERED that defendant Caroline Prosser (“Prosser”) is (1) entitled to punitive damages as a matter of law because of the undisputed acts and conduct of her abductors; (2) that the UM coverage in the underlying policy does apply to those punitive damages, at least to the extent they arising from the jump or from the acts or conduct of Prosser’s abductors which caused or contributed to Prosser’s decision to jump; (3) that Prosser’s claim for both compensatory and punitive damages arising from the jump necessarily includes damages arising from those acts or conduct of Prosser’s abductors which led or contributed to Prosser’s decision to jump.

1 DATED at Anchorage, Alaska, this ____ day of _____, 2007.

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4 Hon. John W. Sedwick
U.S. District Court Judge

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6 This is to certify that a copy of the foregoing
document was electronically served on
January 25, 2007 on Barry J. Kell.

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8 \s\ William L. Choquette
William L. Choquette